

AMENDED IN ASSEMBLY APRIL 29, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 871**

---

**Introduced by Assembly Member Nestande**

February 26, 2009

---

An act to amend Section 42270 of, and to add Section 42270.5 to, the Education Code, relating to education finance.

LEGISLATIVE COUNSEL’S DIGEST

AB 871, as amended, Nestande. Education finance: Year-Round School Grant Program.

Existing law establishes the Year-Round School Grant Program to provide financial assistance to school districts operating year-round educational programs. The State Department of Education, in consultation with school districts, the Department of Finance, the Legislative Analyst’s Office, and other affected parties, is required to conduct a study of the grant program to develop an equitable method of phasing out the program over a multiyear period.

Existing law phases out the Year-Round School Grant Program over a 4-year period by reducing grant amounts by 20% each fiscal year commencing with the 2008–09 fiscal year, prohibits the Superintendent of Public Instruction from approving new year-round school grants, and requires that for the 2008–09 fiscal year to the 2012–13 fiscal year, inclusive, school districts receiving grants under the program receive a gradually diminishing percentage of the grant amount received by that district for the 2007–08 fiscal year. Under existing law, the Year-Round School Grant Program becomes inoperative on July 1, 2013, and is repealed on January 1, 2014.

This bill, commencing with the 2008–09 fiscal year, would prohibit the Superintendent of Public Instruction from approving new year-round school grants based on applications received on or after August 1, 2008, thus authorizing the Superintendent to approve new year-round school grants based on applications received prior to that date.

The bill would also provide that a school district that did not receive a year-round school grant under the program for the 2007–08 fiscal year is eligible for year-round education operational grant funding for the 2008–09 fiscal year only *up to 50% of the amount requested in the grant application* and is exempt from the increase in school building capacity required pursuant to a specified provision of the Leroy F. Greene School Facilities Act of 1998. The bill would also require that funding received by a school district pursuant to the bill be deemed to be year-round operational grant funding for the 2008–09 fiscal year, irrespective of the fiscal year in which the funding is received by the school district.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42270 of the Education Code is amended
- 2 to read:
- 3 42270. A school district that received a grant pursuant to this
- 4 article for the 2007–08 fiscal year shall:
- 5 (a) Be exempt from the increase in school building capacity
- 6 required pursuant to Section 17071.35.
- 7 (b) Have its year-round school grant phased out over a four-year
- 8 period. The school district shall receive amounts according to the
- 9 following schedule:
- 10 (1) For the 2008–09 fiscal year, 80 percent of the amount
- 11 received in the 2007–08 fiscal year.
- 12 (2) For the 2009–10 fiscal year, 60 percent of the amount
- 13 received in the 2007–08 fiscal year.
- 14 (3) For the 2010–11 fiscal year, 40 percent of the amount
- 15 received in the 2007–08 fiscal year.
- 16 (4) For the 2011–12 fiscal year, 20 percent of the amount
- 17 received in the 2007–08 fiscal year.
- 18 (5) For the 2012–13 fiscal year and each fiscal year thereafter,
- 19 zero percent of the amount received in the 2007–08 fiscal year.

1 (c) Notwithstanding any other law, commencing with the  
2 2008–09 fiscal year, the Superintendent shall not approve new  
3 year-round school grants based on applications received on or after  
4 August 1, 2008.

5 SEC. 2. Section 42270.5 is added to the Education Code, to  
6 read:

7 42270.5. (a) Notwithstanding ~~Section 42270.5~~ ~~A 42270~~, a  
8 school district that did not receive a grant pursuant to this article  
9 for the 2007–08 fiscal year shall:

10 (1) Be eligible for year-round education operational grant  
11 funding for the 2008–09 fiscal year only, pursuant to this article,  
12 ~~as it read on the date of the school district's application, as if~~  
13 ~~submitted on or before July 31, 2008, 2008. The amount of this~~  
14 ~~grant shall not exceed 50 percent of the amount requested in the~~  
15 ~~grant application.~~ for the 2008–09 fiscal year.

16 (2) Be exempt from the increase in school building capacity  
17 required pursuant to Section 17071.35.

18 (b) Funding received by a school district pursuant to subdivision  
19 (a) shall be deemed to be year-round operational grant funding for  
20 the 2008–09 fiscal year, irrespective of the fiscal year in which  
21 the funding is received by the school district.